

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Prohibition and Excise Department - Allegation of corruption against Sri M.Posetty, Proh. & Excise Sub Inspector, Kalwakurthy, Mahaboobnagar District (now retired) - Disciplinary proceedings - Enquiry - Recovery of amount equivalent to the penalty of stoppage of two annual grade increments without cumulative effect for a period of two years from the pensionary benefits - Orders - Issued.

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REVENUE (VIGILANCE-V) DEPARTMENT

G.O.Rt.No. 2154

Dated:25.11.2008.

Read the following:-

- 1) C.PE, Hyd. Charge Memo Cr.NO.A3/2548/2001, Dated 23.5.2001.
- 2) From Sri M. Posetty, P&ESI, written statement of defence dt: 23.5.2002.
- 3) C.PE, Pros. Cr. NO. A3/2548/2001, Dt: 16.11.2005.
- 4) P&E Supdt. Mahabubnagar Enquiry Report in Cr. No. A1/2331/2005, Dt: 26.4.2006.
- 5) From the C.PE, Letter Cr. No. 15/2001/C.OPE/SR.I, Dt: 11.7.2006.
- 6) Govt. Memo No. 33020/Vig.V(1)/2003-78, Dt: 6.10.2006 of Rev. (Vig.V) Dept.
- 7) From the Commr. P&E, Letter Cr. No. 15/2001/ C.PE/ SR.I,Dt: 10.9.2007.
- 8) From Sri M. Posetty, P&E Sub-Inspector (Retd.) representation dt: 25.6.2008.

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O R D E R:

In the reference 1st read above, charges were framed against Sri M. Posetty, P&E Sub-Inspector, Kalwakurthy, Mahabubnagar Dist., for possession of excess cash of Rs.1500/- in violation of circular No.19/95/C.PE/Sr, dt: 7.2.1996 which was found during the ACB check on 15.3.2001. He was directed to submit his written statement of defence and he has submitted his w.s.d in the reference 2nd cited. After examination of explanation of the A.O, the Commissioner, Prohibition & Excise, A.P, Hyderabad has appointed the P&E Supdt., Mahabubnagar as Enquiry Officer to conduct enquiry into the matter vide reference 3rd read above. The Enquiry Officer has submitted his enquiry report vide reference 4th read above and held that the charge is not proved against individual. The Commissioner, Prohibition & Excise, A.P, Hyderabad has furnished the enquiry report to Government for further action.

2. Government have examined the matter and observed that the plea of the Charged officer, readily accepted by the I.A., is that the charged officer received a sum of Rs.1350/- towards rental of a toddy shop at the request of the licensee along with a signed challan for the purpose of remitting it into the bank. Admittedly the charged officer is not supposed to make cash collections, as the licensee fee has to be paid through bank challan. The further explanation that the licensee requested the charged officer to remit the money as the bank was closed on that day is also not convincing as the licensee himself could have remitted the amount on the next day. Evidently, this plea, as the fact that the amount was remitted in the bank on 16.03.01, would show, is clearly an after thought as there was no proper explanation for possession of the amount in breach of the circular instructions.

Contd..P.2.,

3. In view of the above, Government disagreed with the findings of Enquiry Officer and requested the Commissioner, Prohibition & Excise, A.P, Hyderabad to obtain the representation of Sri M. Posetty, P&E Sub-Inspector on the above disagreement factors vide reference 6th read above. Accordingly, the Commissioner, Prohibition & Excise, A.P, Hyderabad after obtaining the representation of the individual on the above disagreement factors has furnished the same along with the report of Deputy Commissioner, Proh. & Excise, Hyderabad dt:23.4.2007 to impose the penalty of “stoppage of two annual grade increments without cumulative effect for a period of two years” on Sri M. Posetty, P&E Sub-Inspector vide reference 7th read above. Sri M. Posetty, P&E Sub-Inspector (Retd.) has submitted a representation in the reference 8th read above before the Government and conveyed his willingness to recover the equivalent amount from his pensionary benefits and release his remaining pensionary benefits, as he retired from service on 30.4.2008.

4. Government after careful examination of the matter, hereby order to recover the amount equivalent to the penalty of stoppage of two annual grade increments without cumulative effect for a period of two years, from the pensionary benefits of Sri M. Posetty, Proh. & Excise Sub-Inspector (Retired) and release other pensionary benefits if not pending any other disciplinary cases against him.

5. The Commissioner, Prohibition & Excise, A.P, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Prohibition & Excise, A.P, Hyderabad.

Sri M. Posetty, Proh. & Excise Sub-Inspector (Retd.)

through the Commissioner, Prohibition & Excise, A.P, Hyderabad.

Copy to:

The Accountant General, A.P, Hyderabad.

The Secy.to VC, A.P. Vigilance Commission, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

PS to Minister for Proh. & Excise.,

PS to Prl. Secretary to Govt., Revenue Department.

SF /SC,.

// Forwarded:: By Order //

SECTION OFFICER.